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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

8 LARA WARD, An Individual ) CASE NO. 2:17-cv-03029  
9 )  
10 Plaintiff, )  
11 vs. )  
12 STATE OF NEVADA, ex rel. its BOARD ) ECF Nos. 17, 18, 19, 31  
13 OF MEDICAL EXAMINERS, DON )  
14 ANDREAS, an Individual, PAMELA )  
15 CASTAGNOLA, an Individual, KIM )  
16 FRIEDMAN, an Individual, KATI )  
17 PAYTON, an Individual, TODD RICH, )  
18 an Individual AND EDWARD )  
COUSINEAU, an Individual; DOES I-X. )  
Defendants. )

**STIPULATION AND ORDER RESOLVING PENDING MOTIONS AND AGREEING  
TO FILE A FIRST AMENDED COMPLAINT  
(FIRST REQUEST)**

22 COMES NOW, the Plaintiff, LARA WARD (“Ward”), by and through her attorney,  
23 JENNY L. FOLEY, Ph.D., ESQ., of the law firm HKM EMPLOYMENT ATTORNEYS LLP,  
24 and Defendants, STATE OF NEVADA, ex rel. its BOARD OF MEDICAL EXAMINERS,  
25 PAMELA CASTAGNOLA, KIM FRIEDMAN, KATI PAYTON, and EDWARD  
26 COUSINEAU, by and through their attorney, S. BRETT SUTTON, ESQ., of SUTTON  
27 HAGUE LAW CORPORATION, P.C., hereby stipulate and agree as follows:

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1           WHEREAS, on or about January 4, 2018, Defendants filed a Motion to Dismiss, Motion  
2 to Strike Scandalous Matter and Motion for a More Definite Statement (collectively “the  
3 Motions” or “Motions”);

4           WHEREAS, the Parties have met and conferred extensively with respect to the Motions,  
5 and Plaintiff has agreed to file a First Amended Complaint addressing, at least in part, certain  
6 of the concerns raised by Defendants’ Motions to the satisfaction of all counsel without waiving  
7 any rights;

8           WHEREAS, the Parties agree that the February 5, 2018 hearing that is currently on the  
9 Court’s calendar should be vacated in light of Plaintiff’s agreement to file an amended  
10 Complaint as set forth herein

11          THEREFORE, based on all of the foregoing, the Parties jointly stipulate and  
12 respectfully request that the Court issue an Order as follows:

13          1. That the February 5, 2018 hearing on Defendants’ Motions (ECF Nos. 17-19)  
14 be taken off calendar;

15          2. That the Plaintiff shall file a First Amended Complaint not later than February  
16 28, 2018, which will:

17                 a. List and separately allege each cause of action against each Defendant and  
18                 will note, in what capacity each Defendant is being sued for each cause of  
19                 action;

20                 b. List the factual predicates of each cause of action in accordance with general  
21                 rules of pleading;

22                 c. Remove the allegations in paragraph 72 a-z of the Complaint;

23                 d. Remove the causes of action under NRS and for Negligent  
24                 Hiring/Supervision.

25          3. Plaintiff will provide a copy of the Proposed Amended Complaint to Defendants’  
26                 counsel for the purposes of discussing any dispute related to the stipulations  
27                 contained above by February 12, 2018, and the Parties agree to discuss any  
28                 unresolved issues with respect to the Proposed First Amended Complaint prior to

1                   requesting a hearing date on Defendants' Motions or filing further responsive  
2                   motions regarding the same.

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4                   Dated this 2<sup>nd</sup> day of February, 2018.

5                   **HKM Employment Attorneys LLP**

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7                   /s/ Jenny L. Foley  
8                   Jenny L. Foley, Esq.  
9                   Nevada Bar No. 9017  
10                  1785 East Sahara Ave, Suite 325  
11                  Las Vegas, Nevada 89104  
12                  *Attorney for Plaintiff*

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14                  Dated this 2<sup>nd</sup> day of February, 2018.

15                  **Sutton Hague Law Corporation P.C.**

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17                  /s/ S. Brett Sutton  
18                  S. Brett Sutton, Esq.  
19                  Nevada Bar No. 12109  
20                  9600 Gateway Drive, Suite 100  
21                  Reno, Nevada 89521  
22                  *Attorney for Defendants*

12                  **ORDER**

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14                  Based on the parties' stipulation [ECF No. 31] and good cause appearing, IT IS HEREBY  
15                  ORDERED that the pending motions to dismiss, to strike scandalous matter, and for a more  
16                  definite statement [ECF Nos. 17, 18, 19] are DENIED without prejudice as moot, and the  
17                  hearing on these motions scheduled for February 5, 2018, is VACATED. Plaintiff must  
18                  file a First Amended Complaint by February 28, 2018.

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U.S. District Judge Jennifer A. Dorsey  
February 4, 2018